Ontario

Ontario Highway Transport Board

ANNUAL REPORT

1986

ANNUAL REPORT

OF

THE ONTARIO HIGHWAY TRANSPORT BOARD

for the year ending December 31, 1986

To: The Honourable Lincoln Alexander
P.C., K. St. J., Q.C., B.A.
Lieutenant-Governor of the Province of Ontario

MAY IT PLEASE YOUR HONOUR:

The undersigned takes pleasure in submitting the Annual Report for the Ontario Highway Transport Board for the calendar year ending December 31, 1986

Respectfully submitted,

Ed Fulton

Ed Fulton,
Minister

To: The Honourable Ed Fulton,
Minister of Transportation and
Communications

Sir:

I have the honour to present the report of the activities of The Ontario Highway Transport Board for the calendar year ending on December 31, 1986.

Respectfully submitted,

B.E. Smith,
Chairman

92-05100/

ANNUAL REPORT
OF
THE ONTARIO HIGHWAY TRANSPORT BOARD
for the year ending December 31, 1986

The Ontario Highway Transport Board pursuant to Section 29 of the Ontario Highway Transport Board Act, R.S.O. 1980, Chapter 338 begs leave to submit its thirty-first Annual Report upon its affairs to the Honourable the Minister of Transportation and Communications for the calendar year 1986.

Members of the Board.

B.E. Smith	Chairman
J.E. Magee	Vice Chairman
Margot Priest	Vice Chairman
E.J. Canning	Member
G.T.S. Lyons	Member
K.B. McMillan	Member
G.J. Norton	Member
George Samis	Member
M.H. Shecter	Member
J.A. Wardrop	Member

1986 ANNUAL REPORT OF THE BOARD

EXECUTIVE

Barry E. Smith was appointed Chairman on March 10th of 1986. He succeeded Grant Norton who had been Acting Chairman since January of 1985.

The new Chairman has had extensive career experience in the private sector, the municipal field and in government. He holds degrees from the University of Toronto in both Engineering (1956) and Law (1972). He is a member of the Association of Professional Engineers and of the Law Society of Upper Canada. He commenced his career in 1956 as an engineer with the consulting engineering firm of Marshall Macklin Monaghan Ltd. From 1958 to 1959 he was engaged as Field Engineer with the Corporation of the City of Oshawa and from 1959 to 1968 he was the Engineer for the Orillia Water, Light and Power Commission and later City Engineer of Orillia. In 1968 he entered the service of the Provincial Government as a member of the Ontario Municipal Board. He was appointed a Vice-Chairman of the O.M.B. in 1977. He became Chairman of the Environmental Assessment Board on October 14, 1980, and was appointed Chairman of the Ontario Highway Transport Board effective March 10, 1986.

Two new Vice Chairmen were also appointed: J.E. (Ernie) Magee, Vice-Chairman, brings to the Board a wealth of experience in the consumer products manufacturing industry - particularly in transportation and distribution management. With Proctor and Gamble Inc. for over thirty years, he held a number of increasingly responsible executive positions including Traffic Manager; Manager, Special Projects; and Manager, Rail Transportation and Warehousing. He has been deeply involved in legislative and regulatory developments and was a member of the Rates Sub-Committee of the Implementation Steering Committee. He has been Chairman, National Transportation Committee, Canadian Manufacturers' Association and a Director of the Canadian Industrial Traffic League.

Margot Priest, Vice-Chairman, has had extensive experience in regulatory reform. A legal advisor to numerous federal boards and agencies, Ms. Priest was with the office of the Co-ordinator of Regulatory Reform at the Treasury Board in Ottawa. In 1982 and 1983 she was Special Advisor, Policy Co-ordination Bureau, Department of Consumer and Corporate Affairs and from 1984 to 1985 was Special Advisor, Federal Statutes Compliance Project, Department of Justice. She holds an LL.B. from Osgoode Hall Law School, York University and an Ed.M. from Harvard University in Administration, Planning and Social Policy.

A new member was appointed as well: George Samis, Member, was a resident of Cornwall at the time of his appointment. He is a native of Montreal where he graduated from Loyola College (B.A.) and the University of Montreal (B.Ed.) he also holds an M.A. (History) from the University of Waterloo. Elected to the Ontario Legislature in 1974, he served as the M.P.P. for Cornwall riding until 1985. He hosted his own monthly bilingual Cable Television show in Cornwall from 1979 to 1985 and has been a commentator on national television.

The other members are:

Edward J. Canning	Appointed March 1, 1980
G.T. Spence Lyons	Appointed February 1, 1985
Keith B. McMillan	Appointed June 14, 1985
Grant J. Norton	Appointed June 1, 1976
Max H. Shecter	Appointed January 12, 1981
John A. Wardrop	Appointed August 16, 1974

CANADIAN CONFERENCE OF MOTOR TRANSPORT ADMINISTRATORS

CCMTA is an association of senior officials representing all Provinces, the Territories and the Federal Government working together to promote uniformity of regulatory reform policies and legislation.

The Chairman has been actively involved with the Standing Committee on Motor Carriers since his appointment and he is now a member of a task force with representatives of other provinces developing uniform licensing procedures across Canada.

PUBLIC COMMERCIAL VEHICLES ACT REVIEW

The Chairman is a member of the Implementation Steering Committee which was formed to carry out the recommendations in 'Responsible Trucking' - the report of the Public Commercial Vehicles Act Review Committee.

The new proposals emphasize performance rather than entry controls. Entry will be based on fitness of the applicant rather than public necessity and convenience. Fitness tests will examine competency and will stress safety aspects of commercial vehicle operation. The proposed legislation, to be called the Truck Transportation Act, should ensure an efficient goods transportation system based on effective competition. Principles of fairness, ease of entry, participation in the Ontario economy by all carriers and controlled change to allow participants time to adjust are considered essential. Public Interest Tests, which will be administered by the Board, can be requested by carriers in a particular market if it is felt that the addition of a new, large carrier in that market would not be in the public interest.

The Board, the trucking industry and representatives of manufacturing and shipping interests continue to work together with the Ministry to ensure that the new Act will be fair to all and will foster the development of a responsible and efficient highway transportation system.

ADMINISTRATION

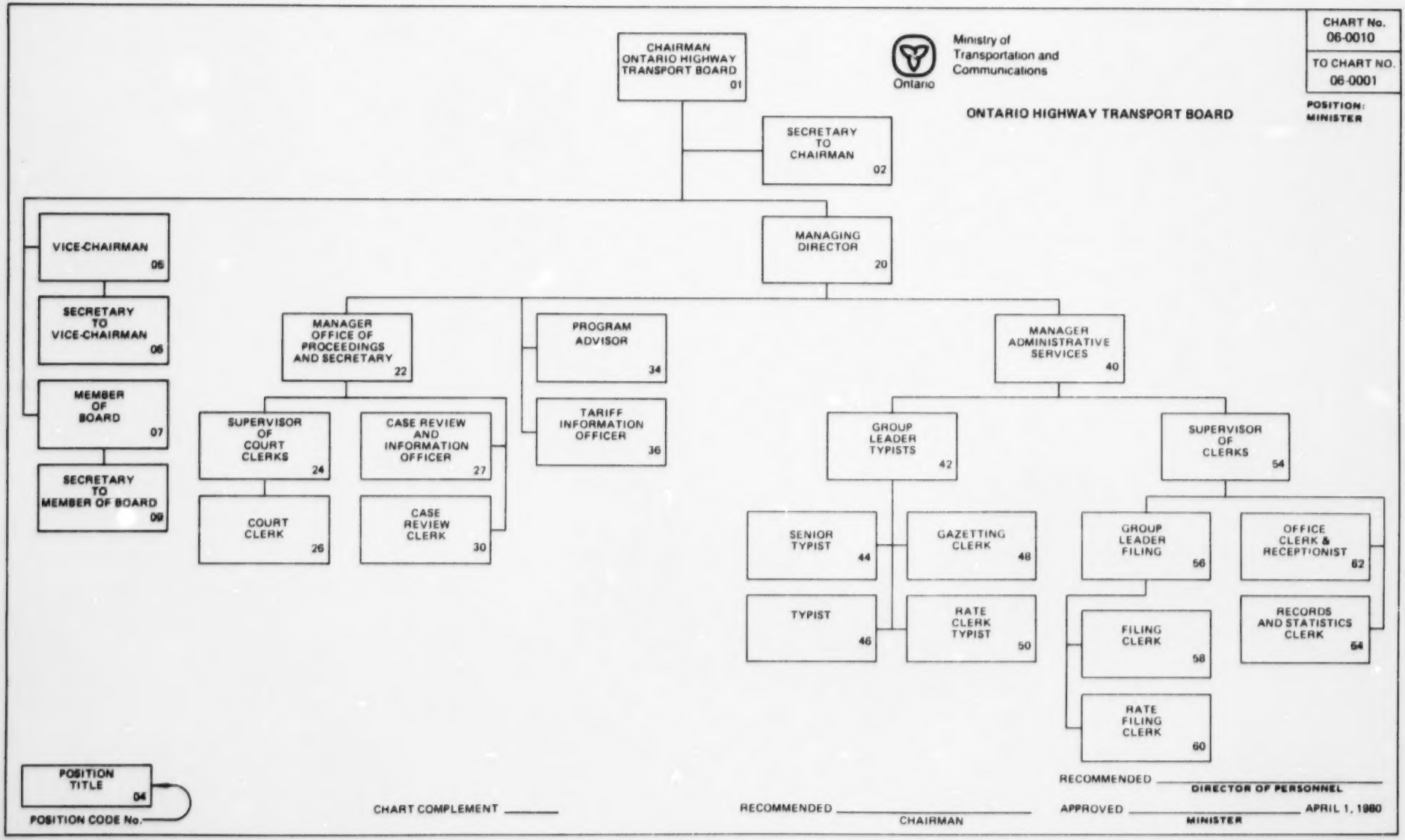
Grant Wheeler continued as Managing Director. He is responsible for the administrative functions of the Board and for liaison between the Board and the Ministry of Transportation and Communications. He represents the Chairman on Ministry committees associated with regulatory reform policy development and operational issues.

1986 was another year of steadily increasing volumes. 4,809 applications were received - an increase of almost 30 percent in the past three years.

Much of the administrative activity during the year was associated with new procedures which will be required to implement regulatory reform measures. New responsibilities are proposed for the Board under the Truck Transportation Act and the Ontario Highway Transport Board Amendment Act which will require a major restructuring of administrative staff and functions.

The Chairman of the Board has been co-chairman, with the Assistant Deputy Minister, Safety and Regulation, of the Reform Steering Committee which is overseeing the development and transfer of administrative responsibilities between the Board and the Ministry of Transportation and Communications.

APPENDIX 'A'


CHAIRMAN ONTARIO HIGHWAY TRANSPORT BOARD 01
Ontario
Ministry of Transportation and Communications
ONTARIO HIGHWAY TRANSPORT BOARD
CHART No. 06-0010
TO CHART NO. 06-0001
POSITION: MINISTER
SECRETARY TO CHAIRMAN 02
VICE-CHAIRMAN 05
SECRETARY TO VICE-CHAIRMAN 06
MEMBER OF BOARD 07
SECRETARY TO MEMBER OF BOARD 09
MANAGING DIRECTOR 20
MANAGER OFFICE OF PROCEEDINGS AND SECRETARY 22
SUPERVISOR OF COURT CLERKS 24
COURT CLERK 26
CASE REVIEW AND INFORMATION OFFICER 27
CASE REVIEW CLERK 30
PROGRAM ADVISOR 34
TARIFF INFORMATION OFFICER 36
MANAGER ADMINISTRATIVE SERVICES 40
GROUP LEADER TYPISTS 42
SENIOR TYPIST 44
TYPIST 46
GAZETTING CLERK 48
RATE CLERK TYPIST 50
SUPERVISOR OF CLERKS 54
GROUP LEADER FILING 56
FILING CLERK 58
RATE FILING CLERK 60
OFFICE CLERK & RECEPTIONIST 52
RECORDS AND STATISTICS CLERK 54
POSITION TITLE 04
POSITION CODE No.
CHART COMPLEMENT
RECOMMENDED CHAIRMAN
RECOMMENDED DIRECTOR OF PERSONNEL
APPROVED MINISTER
APRIL 1, 1980

APPENDIX 'B'

BOARD POLICIES AND PROCEDURES

Policy Statements

Continuing its practice of publishing formulated policy, Board Policy Statements issued to date are as follows:

No. 001/78-9-29 (cancelled and superseded by Policy Statement No. 004/79-8-2)	Renewal of licence under the Public Commercial Vehicles Act.
Effective date:	September 29, 1978
No. 002/79-2-1	Adjournment of Hearing.
Effective date:	February 1, 1979
No. 003/79-5-14	Admissibility as evidence of photocopies and microfilm prints.
Effective date:	May 14, 1979
No. 004/79-8-2	Renewal of a public commercial or public vehicle operating licence.
Effective date:	immediate
No. 005/79-9-7	Recording of hearing proceedings.
Effective date:	September 7, 1979
No. 006/79-9-7	Transfers and temporaries.
Effective date:	September 7, 1979
No. 007/79-9-7	Cancellation of interim licence of adjournment of hearing.
Effective date:	September 7, 1979
No. 008/79-11-19	Expanded use of Section 8 proceedings.
Effective date: (amended by Policy Statement No. 012/81-1-1)	immediate
No. 009/80-1-14	Hearing procedures for applications for Class 'R' operating licence.
Effective date:	immediate
No. 010/80-9-4	Complementary authorities.
Effective date:	Draft for discussion purposes – no implementation date.
No. 011/80-9-30	Distribution of notices of decision.
Effective date:	immediate
No. 012/81-1-1	Amendment to Policy Statement No. 008/79-11-19. Expanded use of Section 8 proceedings.
Effective date:	January 1, 1981
No. 013/81-6-25	Complementary authorities.
Effective date:	immediate
No. 014/81-9-16	Filing of Notices of Objection.
Effective date:	September 16, 1981

No. 015/81-12-2 Effective date:	Change of name of licence holders P.C.V. operating licences. immediate
No. 016/81-12-2 Effective date:	Issuance of summonses. December 2, 1981
No. 017/82-6-22 Effective date:	Commercial motor vehicle lease approval. July 1, 1982
No. 018/82-12-22 Effective date:	Metrication of weight, size and distance in applications. December 22, 1982
No. 019/83-1-31 Effective date:	Metropolitan Toronto commercial zone. immediate
No. 020/83-3-23 Effective date:	Procedures for issuing non-permanent authorities. May 30, 1983
No. 021/83-4-14 Effective date:	In-transit authorities. immediate
No. 022/83-6-27 Effective date:	Applications received after June 21, 1983. immediate
No. 024/83-8-16 Effective date:	Form of headings for orders, certificates and reports. August 22, 1983
No. 025/83-8-18 Effective date:	Requests for adjournments. immediate
No. 026/83-10-5 Effective date:	Listings for the Ontario Gazette. immediate
No. 027/84-4-26 Effective date:	Scheduling of Hearings. immediate
No. 028/84-11-19 Effective date:	Applications for interim and temporary operating licences. December 1, 1984
No. 029/85-5-2 Effective date:	Filing of Complementary authorities. April 15, 1985
No 030/85-5-15 Effective date:	Transfer of part of an operating licence. Immediate
No. 031/85-6-26 Effective date.	Application's for operating licences by applicants currently unlicensed. July 15, 1985
No. 032/85-6-26 Effective date:	Reduction of administrative costs to the public and industry. July 15, 1985

No. 033/85-9-23	Clarification of procedures respecting renewals of expired operating licences.
Effective date:	Immediate
No. 036/85-12-11	Tariff approval for new public vehicle services.
Effective date:	March 1, 1986
No 037/86-7-10	Amendment to Policy Statement 031/85-6-26. Qualifications of New Carriers
Effective date:	Immediate

Policy Statements published by the Board during the period January 1 - December 31, 1986, are appended to this report.

POLICY STATEMENT

037/86-07-10

Item: AMENDMENT TO POLICY STATEMENT 031/85-06-26.

Objective: To improve the quality of transportation by ensuring new carriers are well qualified.

Policy: Policy Statement 031/85-06-26 is amended by adding in clause (1) at the end thereof

"the following information:

- equipment list, by year, make and serial number, that indicates which are beneficially owned and which are brokered or leased;
- number and location of terminals (if any);
- current financial statement, preferably audited;
- accident record;
- insurance losses in the past year;
- outstanding insurance claims;
- insurance coverage and premium rate;
- volume transported in past year, in tons per mile (kilometre) if possible;
- a description of the service to be offered (should include any special or unique features) and the rates to be charged;
- reasons for seeking this authority (e.g. better equipment or manpower utilization etc.).

And by replacing clause (2) with the following:

(2) the appearance at a hearing set by the Board of any applicant who has not held a permanent operating authority for at least one year in a recognized jurisdiction."

Effective date: Immediate.

B.E. Smith,
Chairman.

APPENDIX 'C'

THE ONTARIO HIGHWAY TRANSPORT BOARD

REVENUE

January 1st to December 31st, 1986

Application Fees	$172,595.00
Court Costs	30 028.00
Tariffs (including copies)	52,277.16
Credits and U.S. Exchange	4,719.20
Miscellaneous	46,128.36
Gross Revenue	$305,747.72
Refunds and N.S.F. Cheques	2,307.87
Net Revenue	$303,439.85

APPENDIX 'D-1'

THE ONTARIO HIGHWAY TRANSPORT BOARD

APPLICATIONS RECEIVED

January 1st to December 31st, 1986

CLASS	
Public Commercial Vehicles Act	
A	282
C	69
D	948
E	6
F	33
FF	5
FS	23
H	65
K	42
L	14
R	975
T	115
W	43
Y	29
	2649
Public Vehicles Act	
PV	191
PVS	141
	332
Motor Vehicle Transport Act (Canada)	1828
Total	4809

Public Vehicle Tariffs - no longer at the Board

APPENDIX 'D-2'

THE ONTARIO HIGHWAY TRANSPORT BOARD

APPLICATIONS PROCESSED

January 1st to December 31st, 1986

CLASS	TOTAL	GRANTED	DENIED	# of CASES OPPOSED	# of RESPONDENTS
A	204	184	20	65	291
C	55	50	5	18	95
D	781	646	135	181	384
E	11	11	-	-	-
F	35	29	6	1	1
FF	3	2	1	2	9
FS	26	22	4	2	4
H	61	39	22	33	81
K	38	33	5	14	31
L	14	14	-	-	-
R	835	653	182	19	22
T	85	77	8	15	41
W	26	16	10	17	40
Y	27	26	1	-	-
PCV'S	2201	1802	399	367	969
PV	165	123	42	68	313
PVS	140	133	7	8	20
PV'S	305	256	49	76	333
PCVX	1356	1173	183	300	1278
FFX	2	1	1	2	9
PVX	121	98	23	33	183
MVTA'S	1479	1272	207	335	1470
TOTAL	3985	3330	655	778	2772

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
Tariffs	No Longer at the Board												
Reasons for Decision	10	11	8	7	17	9	8	11	9	8	9	20	120
Applications Withdrawn	36	61	41	48	42	54	34	34	58	47	54	36	545
Telegrams	63	86	76	58	89	76	64	57	61	71	50	43	794

'APPENDIX D-3'

THE ONTARIO HIGHWAY TRANSPORT BOARD
BOARD DECISIONS - AFTER PUBLIC HEARING
FOR THE YEAR 1986

CLASS	TEMPORARIES/INTERIMS			LICENCE APPLICATIONS			TRANSFERS AND SHARES		
	Applications	Denied	Granted	Applications	Denied	Granted	Applications	Denied	Granted
A	1	1	-	60	10	50	21	-	21
C	-	-	-	12	2	10	7	-	7
D	5	-	5	200	36	164	8	2	6
E	-	-	-	-	-	-	-	-	-
F	-	-	-	6	1	5	1	-	1
FF	-	-	-	3	1	2	-	-	-
FS	1	-	1	4	-	4	-	-	-
H	1	-	1	29	9	20	3	-	3
K	-	-	-	14	2	12	-	-	-
L	-	-	-	-	-	-	-	-	-
R	11	1	10	523	108	415	3	1	2
T	4	-	4	13	-	13	1	-	1
W	-	-	-	15	8	7	2	-	2
Y	-	-	-	-	-	-	-	-	-
PCV'S	23	2	21	879	177	702	46	3	43
PV	4	2	2	51	16	35	5	-	5
PVS	-	-	-	3	-	3	-	-	-
PV'S	4	2	2	54	16	38	5	-	5
PCVX	3	-	3	294	42	252	18	2	16
FFX	-	-	-	2	1	1	-	-	-
PVX	2	2	-	21	10	11	1	-	1
MVTA'S	5	2	3	317	53	264	19	2	17
TOTAL	32	6	26	1250	246	1004	70	5	65

APPENDIX 'D-4'

THE ONTARIO HIGHWAY TRANSPORT BOARD
OUT OF TOWN AND JOINT PROVINCIAL HEARINGS
held January 1st to December 31st, 1986

APPLICATIONS HEARD

Month	Location	Number	Adjourned	Granted	Denied	Pending
January	Guelph	2	-	2	-	-
	Kitchener	1	-	1	-	-
	Ottawa	8	-	4	4	-
	Hull	1	-	-	1	-
	Waterloo	1	-	-	1	-
February	Kitchener	3	-	2	1	-
	London	4	-	2	2	-
	Ottawa	7	-	4	3	-
	Owen Sound	1	-	1	-	-
	Quebec	2	-	2	-	-
	St. Catharines	3	-	2	1	-
March	London	1	-	1	-	-
	North Bay	2	-	1	1	-
	Ottawa	1	-	1	-	-
	Sudbury	2	-	2	-	-
April	Kitchener	3	-	3	-	-
	London	21	-	20	1	-
	Ottawa	16	-	9	7	-
	Windsor	5	-	2	3	-
May	Dryden	8	-	6	2	-
	Kapuskasing	11	-	10	1	-
	Kitchener	23	-	18	5	-
	London	1	-	1	-	-
	Ottawa	6	-	4	2	-
	Peterborough	2	-	1	1	-
	Sault Ste. Marie	5	-	3	2	-
	Thunder Bay	12	-	10	2	-
	Timmins	6	-	5	1	-
	Windsor	3	-	2	1	-
	Winnipeg	1	-	1	-	-

APPLICATIONS HEARD – cont'd.

Month	Location	Number	Adjourned	Granted	Denied	Pending
June	Dryden	1	-	1	-	-
	Kitchener	6	-	3	3	-
	North Bay	24	-	18	6	-
	Ottawa	2	-	2	-	-
	Sault Ste. Marie	1	-	1	-	-
	Sudbury	11	-	11	-	-
	Thunder Bay	1	-	1	-	-
	Timmins	1	-	1	-	-
	Windsor	5	1	4	-	1
	Kapuskasing	1	-	-	1	-
July	Collingwood	1	-	1	-	-
	London	4	-	4	-	-
	North Bay	5	-	5	-	-
	Ottawa	3	-	2	1	-
	Smiths Falls	2	-	1	1	-
	Sudbury	1	-	1	-	-
August	Kapuskasing	1	-	1	-	-
	Kitchener	2	-	1	1	-
	London	2	-	1	1	-
	Ottawa	4	-	4	-	-
	Quebec (joint)	1	-	1	-	-
	Sudbury	4	-	3	1	-
	Welland	1	-	1	-	-
September	Brantford	1	-	1	-	-
	Dryden	14	-	11	3	-
	Hull	12	-	4	8	-
	Kapuskasing	6	-	5	1	-
	London	3	1	2	-	1
	Ottawa	4	-	4	-	-
	Sault Ste. Marie	4	-	3	1	-
	Sudbury	4	2	2	-	2
	Thunder Bay	15	-	12	3	-
	Timmins	4	-	4	-	-
	Pembroke	2	-	-	2	-
	Windsor	1	-	-	1	-

APPLICATIONS HEARD – cont'd.

Month	Location	Number	Adjourned	Granted	Denied	Pending
October	Belleville	1	-	-	1	-
	Dryden	3	-	3	-	-
	Hull	2	-	2	-	-
	Kitchener	27	-	20	7	-
	London	20	-	18	2	-
	North Bay	11	-	10	1	-
	Sault Ste. Marie	1	-	1	-	-
	Sudbury	5	-	5	-	-
	Thunder Bay	1	-	1	-	-
	Windsor	7	-	6	1	-
November	Barrie	1	-	1	-	-
	Belleville	1	-	-	-	1
	Hull	3	-	3	-	-
	Kitchener	1	-	-	1	-
	London	2	-	1	-	1
	North Bay	2	-	2	-	-
	Ottawa	3	-	3	-	-
	Sault Ste. Marie	1	-	1	-	-
	Sudbury	2	-	2	-	-
	Thunder Bay	2	-	2	-	-
	Whitby	1	-	1	-	-
	Windsor	4	-	4	-	-
December	Kitchener	1	-	-	-	1
	London	8	-	5	1	2
	North Bay	1	1	-	-	1
	Ottawa	8	-	2	5	1
	Perth	2	2	-	-	2
	Sudbury	19	-	11	6	2
	Windsor	8	-	2	1	5
	Winnipeg	1	-	-	1	-

'APPENDIX D-5'

THE ONTARIO HIGHWAY TRANSPORT BOARD
BOARD DECISIONS - WITHOUT PUBLIC HEARING
FOR THE YEAR 1986

CLASS	TEMPORARIES/INTERIMS			LICENCE APPLICATIONS			TRANSFERS AND SHARES		
	Applications	Denied	Granted	Applications	Denied	Granted	Applications	Denied	Granted
A	9	2	7	93	7	86	20	-	20
C	4	1	3	23	2	21	9	-	9
D	114	57	57	384	39	345	70	1	69
E	1	-	1	3	-	3	7	-	7
F	2	2	-	16	3	13	10	-	10
FF	-	-	-	-	-	-	-	-	-
FS	4	3	1	7	1	6	10	-	10
H	4	3	1	16	10	6	8	-	8
K	7	3	4	10	-	10	7	-	7
L	-	-	-	14	-	14	-	-	-
R	80	52	28	46	19	27	172	1	171
T	19	6	13	45	2	43	3	-	3
W	1	1	-	3	1	2	5	-	5
Y	2	-	2	25	1	24	-	-	-
PCV'S	247	130	117	685	85	600	321	2	319
PV	26	11	15	50	12	38	29	1	28
PVS	28	-	28	55	4	51	54	3	51
PV'S	54	11	43	105	16	89	83	4	79
PCVX	206	79	127	745	60	685	90	-	90
FFX	-	-	-	-	-	-	-	-	-
PVX	11	5	6	74	6	68	12	-	12
MVTA	217	84	133	819	66	753	102	-	102
TOTAL	518	225	293	1609	167	1442	506	6	500